

ORDINANCE NO. 2003 -064

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED CORRECTIVE AMENDMENT: **FOREST HILL BOULEVARD PROPERTY (2003-0030 LGA)** MODIFYING PAGE 72 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 1.03 ACRES, GENERALLY LOCATED NORTH OF FOREST HILL BOULEVARD, APPROXIMATELY 0.35 MILES EAST OF CONGRESS AVENUE AND 350 FEET WEST OF FLORIDA MANGO ROAD, FROM HIGH RESIDENTIAL WITH AN UNDERLYING 8 UNITS PER ACRE (HR-8) WITH CROSS-HATCHING TO HIGH RESIDENTIAL WITH AN UNDERLYING 8 UNITS PER ACRE (HR-8); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearings on June 13 & 27 and July 11, 2003 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 21, 2003 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Palm Beach County received on October 8, 2003 the Department of Community Affairs "Objections, Recommendations, and

Comments Report," dated October 3, 2003 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained in this ordinance; and

WHEREAS, on November 24, 2003 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan

The following amendments to the Land Use Element's Future Land Use Atlas are hereby adopted and attached to this Ordinance:

A. Future Land Use Atlas page 72 is amended as follows:

Application No.: Forest Hill Boulevard Property (2003-0030 LGA)

Amendment: From High Residential with an underlying 8 units per acre (HR-8) with cross-hatching to High Residential with an underlying 8 units per acre (HR-8);

General Location: North of Forest Hill Boulevard, approximately 0.35 miles east of Congress Avenue and 350 feet west of Florida Mango Road;

Size: Approximately 1.03 acres;

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.



1                   Part III. Severability

2                   If any section, paragraph, sentence, clause, phrase, or word of  
3                   this Ordinance is for any reason held by the Court to be  
4                   unconstitutional, inoperative or void, such holding shall not affect  
5                   the remainder of this Ordinance.

6                   Part IV. Inclusion in the 1989 Comprehensive Plan

7                   The provision of this Ordinance shall become and be made a part  
8                   of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
9                   Ordinance may be renumbered or relettered to accomplish such, and the  
10                  word "ordinance" may be changed to "section," "article," or any other  
11                  appropriate word.

12                  Part V. Effective Date

13                  The effective date of this plan amendment shall be the date a  
14                  final order is issued by the Department of Community Affairs or  
15                  Administration Commission finding the amendment in compliance in  
16                  accordance with Section 163.3184(1)(b), Florida Statutes, whichever is  
17                  applicable. No development orders, development permits, or land uses  
18                  dependent on this amendment may be issued or commence before it has  
19                  become effective. If a final order of noncompliance is issued by the  
20                  Administration Commission, this amendment may nevertheless be made  
21                  effective by adoption of a resolution affirming its effective status,  
22                  a copy of which resolution shall be sent to the Florida Department of  
23                  Community Affairs, Division of Community Planning, Plan Processing  
24                  Team. An adopted amendment whose effective date is delayed by law  
25                  shall be considered part of the adopted plan until determined to be  
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1 not in compliance by final order of the Administration Commission.

2 Then, it shall no longer be part of the adopted plan unless the local  
3 government adopts a resolution affirming its effectiveness in the  
4 manner provided by law.

5 APPROVED AND ADOPTED by the Board of County Commissioners of  
6 Palm Beach County, on the 24 day of November, 2003.

7  
8 ATTEST:

9 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,

BY ITS BOARD OF COUNTY COMMISSIONERS


10  
11  
12 By: 

13 Deputy Clerk

By 

14 Karen T. Marcus, Chair

15 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

16  
17   
18 COUNTY ATTORNEY

19  
20 Filed with the Department of State on the 3 day  
21 of December, 2003.

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23 T:\Planning\AMEND\03-2\admin\bccadopt\Ordinances\Forest Hill Blvd..doc  
24

## EXHIBIT 1

**Amendment No.:** Forest Hill Blvd. Property (2003-0030 LGA)

**FLUA Page No.:** 72

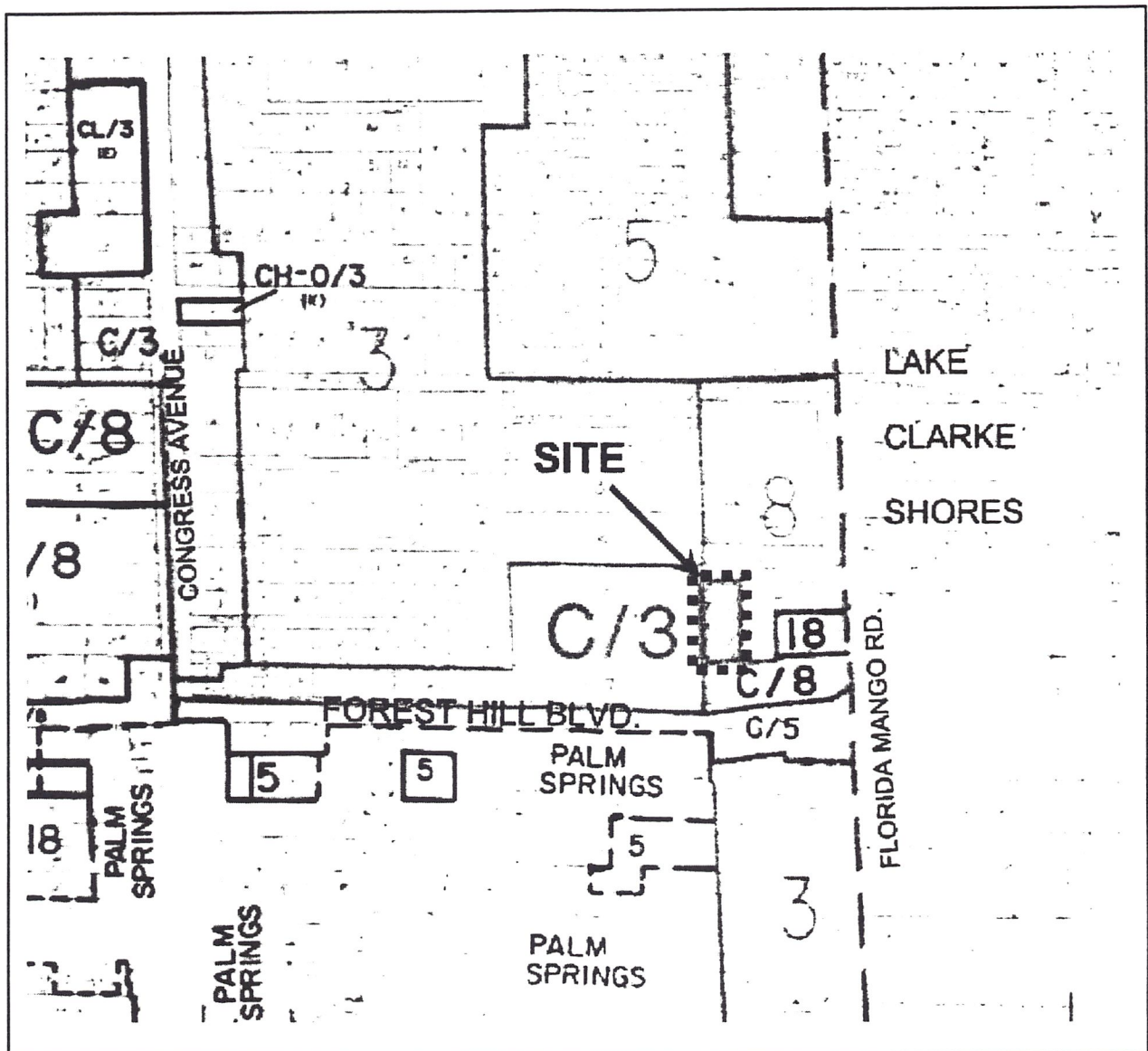
**Amendment:** From High Residential with an underlying 8 units per acre (HR-8) with cross-hatching to High Residential with an underlying 8 units per acre (HR-8)

**Location:** North side of Forest Hill Boulevard, approximately 0.35 mile east of Congress Avenue and 350 feet west of Florida Mango Road

**Size:** Approximately 1.03 acres

**Property No.:** 00-43-44-08-17-000-0050 (a portion of a 1.54 acre parcel)

**Legal Description:** Meadow Park Subdivision, Plat 2, Lots 5 & 6



STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on November 24, 2003.  
DATED at West Palm Beach, FL on 12/17/03.  
DOROTHY H. WILKEN, Clerk  
By: Deane Brown D.C.